

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

**NINETY-THIRD LEGISLATIVE DAY
TUESDAY, APRIL 14, 2009**

Senate Chamber

President Little called the Senate to order at 9:30 a.m.

Roll call showed all members present except Senators Cameron, Fulcher, Goedde, and Stegner, absent and excused.

Prayer was offered by Chaplain Henry Webb.

The Pledge of Allegiance was led by Michele Jenkins, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of April 13, 2009, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

April 13, 2009

The JUDICIARY AND RULES Committee reports that [S 1110](#), as amended in the House, [S 1121](#), as amended in the House, [S 1141](#), as amended, as amended, [S 1145](#), and [S 1186](#) have been correctly enrolled.

DARRINGTON, Chairman

The President signed Enrolled [S 1110](#), as amended in the House, [S 1121](#), as amended in the House, [S 1141](#), as amended, as amended, [S 1145](#), and [S 1186](#) and ordered them transmitted to the House for the signature of the Speaker.

April 13, 2009

The JUDICIARY AND RULES Committee reports that [S 1054](#) and [SJM 102](#) have been correctly enrolled.

DARRINGTON, Chairman

The President signed Enrolled [S 1054](#) and [SJM 102](#) and ordered them transmitted to the House for the signature of the Speaker.

April 13, 2009

The JUDICIARY AND RULES Committee reports that Enrolled [S 1013](#), [S 1015](#), [S 1020](#), as amended, [S 1022](#), [S 1108](#), as amended, [S 1146](#), [S 1153](#), [S 1154](#), and [S 1158](#) were delivered to the Office of the Governor at 1:45 p.m., April 13, 2009.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

April 13, 2009

The JUDICIARY AND RULES Committee reports that Enrolled [S 1096](#), [S 1129](#), [S 1151](#), [S 1170](#), [S 1171](#), [S 1172](#), [S 1173](#), and [S 1174](#) were delivered to the Office of the Governor at 3:23 p.m., April 13, 2009.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

April 13, 2009

The JUDICIARY AND RULES Committee reports that Enrolled [SJR 101](#) was delivered to the Office of the Secretary of State at 3:19 p.m., April 13, 2009.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

April 14, 2009

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 231](#), [H 248](#), and [S 1214](#) with the recommendation that they do pass.

ANDREASON, Chairman

[H 231](#), [H 248](#), and [S 1214](#) were filed for second reading.

Senator Fulcher was recorded present at this order of business.

April 14, 2009

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1166](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

ANDREASON, Chairman

There being no objection, [S 1166](#) was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

April 13, 2009

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of the State the following Senate Bill, to wit:

S 1142

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Senators Cameron, Goedde, and Stegner were recorded present at this order of business.

Motion to Suspend Rules

Moved by Senator Davis, seconded by Senator Stegner, that all rules of the Senate interfering with the immediate passage of **S 1184** be suspended; that the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that **S 1184** be read the second time by title and the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Andreason, Bair, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Keough, Lodge, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Winder. Total - 28.

NAYS—Bilyeu, Bock, Kelly, LeFavour, Sagness (Malepeai), Thorson (Stennett), Werk. Total - 7.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended.

S 1184 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. President Pro Tempore Geddes arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Keough, Lodge, McGee, McKague, McKenzie, Mortimer, Pearce, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Winder. Total - 30.

NAYS—Bock, Kelly, LeFavour, Thorson (Stennett), Werk. Total - 5.

Total - 35.

Whereupon the President declared **S 1184** passed, title was approved, and the bill ordered transmitted to the House.

Suspension of Rules

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **S 1086**, as amended in the House, were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency.

S 1086, as amended in the House, was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Pearce arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Brackett, Broadsword, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Jorgenson, Keough, McGee, McKague, Pearce, Smyser, Thorson (Stennett), Winder. Total - 20.

NAYS—Bock, Cameron, Coiner, Corder, Hill, Kelly, LeFavour, Lodge, McKenzie, Mortimer, Sagness (Malepeai), Schroeder, Siddoway, Stegner, Werk. Total - 15.

Total - 35.

Whereupon the President declared **S 1086**, as amended in the House, passed, title was approved, and the bill was referred to the Judiciary and Rules Committee for enrolling.

Suspension of Rules

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **S 1088**, as amended in the House, were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency.

S 1088, as amended in the House, was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Heinrich arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Brackett, Broadsword, Darrington, Davis, Fulcher, Geddes, Goedde, Heinrich, Jorgenson, Kelly, Keough, McGee, McKague, Pearce, Sagness (Malepeai), Schroeder, Smyser, Thorson (Stennett), Winder. Total - 22.

NAYS—Bock, Cameron, Coiner, Corder, Hammond, Hill, LeFavour, Lodge, McKenzie, Mortimer, Siddoway, Stegner, Werk. Total - 13.

Total - 35.

Whereupon the President declared [S 1088](#), as amended in the House, passed, title was approved, and the bill was referred to the Judiciary and Rules Committee for enrolling.

Suspension of Rules

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of [S 1207](#) were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency.

[S 1207](#) was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Bilyeu arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Pearce, Sagness (Malepeai), Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 34.

NAYS—Schroeder. Total - 1.

Total - 35.

Whereupon the President declared [S 1207](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

On motion by Senator Davis, seconded by Senator Kelly, by voice vote the Senate recessed at 12:05 p.m. until the hour of 2:30 p.m. of this day.

RECESS AFTERNOON SESSION

The Senate reconvened at 2:30 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present except Senators Corder, Fulcher, Goedde, Hill, and Stegner, absent and excused.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

April 14, 2009

The JUDICIARY AND RULES Committee reports that [S 1086](#), as amended in the House, and [S 1088](#), as amended in the House, have been correctly enrolled.

DARRINGTON, Chairman

The President signed Enrolled [S 1086](#), as amended in the House, and [S 1088](#), as amended in the House, and ordered them transmitted to the House for the signature of the Speaker.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

Senators Corder, Fulcher, and Goedde were recorded present at this order of business.

April 14, 2009

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of the State the following Senate Bills, to wit:

[S 1004](#), as amended in the House, [S 1011](#),
[S 1074](#), as amended, as amended, and [S 1132](#)

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

April 14, 2009

Dear Mr. President:

I transmit herewith [H 306](#), [H 308](#), [H 309](#), [H 310](#), and [H 303](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 306](#), [H 308](#), [H 309](#), [H 310](#), and [H 303](#) were filed for first reading.

April 14, 2009

Dear Mr. President:

I return herewith [S 1176](#), [S 1177](#), [S 1178](#), [S 1179](#), [S 1180](#), [S 1181](#), [S 1187](#), [S 1188](#), [S 1189](#), [S 1190](#), and [S 1191](#), which have passed the House.

ALEXANDER, Chief Clerk

[S 1176](#), [S 1177](#), [S 1178](#), [S 1179](#), [S 1180](#), [S 1181](#), [S 1187](#), [S 1188](#), [S 1189](#), [S 1190](#), and [S 1191](#) were referred to the Judiciary and Rules Committee for enrolling.

April 14, 2009

Dear Mr. President:

I transmit herewith Enrolled [H 194](#), as amended in the Senate, for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 194](#), as amended in the Senate, and ordered it returned to the House.

April 14, 2009

Dear Mr. President:

I return herewith Enrolled [SCR 103](#), [SCR 104](#), [SCR 105](#), [SCR 106](#), [SCR 107](#), [SCR 108](#), [SCR 109](#), [SCR 110](#), and [SJM 101](#), which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [SCR 103](#), [SCR 104](#), [SCR 105](#), [SCR 106](#), [SCR 107](#), [SCR 108](#), [SCR 109](#), [SCR 110](#), and [SJM 101](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

S 1217

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE DIVISION OF VETERANS SERVICES FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

S 1218

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

S 1219

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF PARKS AND RECREATION FOR FISCAL YEAR 2010.

S 1220

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE EXECUTIVE OFFICE OF THE GOVERNOR FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; APPROPRIATING ADDITIONAL MONEYS TO THE EXECUTIVE OFFICE OF THE GOVERNOR FOR FISCAL YEAR 2009; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED DEDICATED FUND BALANCES; AND DECLARING AN EMERGENCY.

S 1221

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR PUBLIC HEALTH SERVICES FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR PHYSICAL HEALTH SERVICES FOR FISCAL YEAR 2009; PROVIDING THAT THE STATE CONTROLLER SHALL MAKE TRANSFERS FROM THE GENERAL FUND; DIRECTING THAT FUNDS FOR TRUSTEE AND BENEFIT PAYMENTS SHALL NOT BE TRANSFERRED; PROVIDING LEGISLATIVE INTENT FOR THE

EDUCATION STIPEND FOR DEPARTMENT OF HEALTH AND WELFARE EMPLOYEES; ALLOWING TRANSFERS BETWEEN PERSONNEL COSTS AND OPERATING EXPENDITURES; EXPRESSING LEGISLATIVE INTENT RELATING TO CERTAIN MILLENNIUM INCOME FUND APPROPRIATIONS; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

S 1222

BY FINANCE COMMITTEE

AN ACT

PROVIDING LEGISLATIVE INTENT FOR THE GOVERNOR TO ACCESS FUNDS IN FISCAL YEAR 2009; AUTHORIZING THE BOARD OF EXAMINERS TO TRANSFER FUNDS FROM THE PUBLIC EDUCATION STABILIZATION FUND TO THE GENERAL FUND AT THE END OF FISCAL YEAR 2009; AUTHORIZING THE BOARD OF EXAMINERS TO TRANSFER FUNDS FROM THE BUDGET STABILIZATION FUND TO THE GENERAL FUND AT THE END OF FISCAL YEAR 2009; PROVIDING LEGISLATIVE INTENT THAT CERTAIN CASH BALANCES IN THE GENERAL FUND SHOULD BE MAINTAINED AT THE BEGINNING OF FISCAL YEAR 2010; AUTHORIZING THE GOVERNOR TO DIRECT THE STATE CONTROLLER TO TRANSFER MONEYS FROM THE BUDGET STABILIZATION FUND AND THE PUBLIC EDUCATION STABILIZATION FUND UNDER CERTAIN CONDITIONS AT THE BEGINNING OF FISCAL YEAR 2010; APPROPRIATING AND TRANSFERRING MONEYS FROM THE BUDGET STABILIZATION FUND TO THE GENERAL FUND IN FISCAL YEAR 2010; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FISCAL YEAR 2010 FROM THE AMERICAN REINVESTMENT FUND FOR PUBLIC WATER SYSTEMS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FISCAL YEAR 2010 FROM THE AMERICAN REINVESTMENT FUND FOR WASTEWATER TREATMENT PROJECTS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF ADMINISTRATION FOR FISCAL YEAR 2010 FROM THE AMERICAN REINVESTMENT FUND FOR THE IDAHO EDUCATION NETWORK; STATING LEGISLATIVE INTENT THAT THE PROJECT INFRASTRUCTURE FOR THE IDAHO EDUCATION NETWORK SHOULD BE PRIMARILY LOCATED WITHIN IDAHO; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2010 FROM THE AMERICAN REINVESTMENT FUND TO BEGIN THE IMPLEMENTATION OF THE COMPREHENSIVE AQUIFER MANAGEMENT PLAN; APPROPRIATING ADDITIONAL MONEYS TO THE IDAHO TRANSPORTATION DEPARTMENT FOR FISCAL YEAR 2009 FROM THE AMERICAN REINVESTMENT FUND TO BE DISTRIBUTED TO LOCAL HIGHWAY DISTRICTS; AUTHORIZING THE IDAHO TRANSPORTATION DEPARTMENT REAPPROPRIATION OF THE UNENCUMBERED AND UNEXPENDED FUNDS FROM THE AMERICAN REINVESTMENT FUND FOR FISCAL YEAR 2010; STATING LEGISLATIVE INTENT FOR DEPOSITING AND FEDERAL REPORTING REQUIREMENTS FOR THE DISTRIBUTION OF FUNDS TO THE LOCAL HIGHWAY DISTRICTS; PROVIDING LEGISLATIVE INTENT TO MAKE NULL AND VOID ALL REFERENCES TO A REDUCTION OF SALARIES IN

FISCAL YEAR 2010 APPROPRIATIONS; APPROPRIATING ADDITIONAL MONEYS FOR FISCAL YEAR 2010 TO ALL AGENCIES AND INSTITUTIONS FOR PERSONNEL COSTS; PROVIDING LEGISLATIVE INTENT ON THE SEVERABILITY OF THE ACT; AND DECLARING AN EMERGENCY.

[S 1217](#), [S 1218](#), [S 1219](#), [S 1220](#), [S 1221](#), and [S 1222](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 299](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

[H 287](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 306](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 308](#), [H 309](#), and [H 310](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 303](#), by Ways and Means Committee, was introduced, read the first time at length, and referred to the Education Committee.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

April 14, 2009

The JUDICIARY AND RULES Committee reports that [S 1217](#), [S 1218](#), [S 1219](#), [S 1220](#), [S 1221](#), and [S 1222](#) have been correctly printed.

DARRINGTON, Chairman

[S 1217](#), [S 1218](#), [S 1219](#), [S 1220](#), [S 1221](#), and [S 1222](#) were referred to the Finance Committee.

April 14, 2009

The FINANCE Committee reports out [S 1217](#), [S 1218](#), [S 1219](#), [S 1220](#), [S 1221](#), and [S 1222](#) with the recommendation that they do pass.

CAMERON, Chairman

[S 1217](#), [S 1218](#), [S 1219](#), [S 1220](#), [S 1221](#), and [S 1222](#) were filed for second reading.

April 14, 2009

The TRANSPORTATION Committee reports out [H 24](#) with the recommendation that it do pass.

MCGEE, Chairman

[H 24](#) was filed for second reading.

April 14, 2009

The TRANSPORTATION Committee reports out [S 1087](#) and [H 96](#) with the recommendation that they be referred to the Fourteenth Order of Business for amendment.

MCGEE, Chairman

There being no objection, [S 1087](#) and [H 96](#) were referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Senators Hill and Stegner were recorded present at this order of business.

Suspension of Rules

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of [S 1208](#) were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency.

[S 1208](#) was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Hammond arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Pearce, Sagness (Malepeai), Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 34.

NAYS—Schroeder. Total - 1.

Total - 35.

Whereupon the President declared [S 1208](#) passed, title was approved, and the bill ordered transmitted to the House.

Suspension of Rules

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of [S 1209](#) were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency.

[S 1209](#) was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Hammond arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Pearce, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 35.

Whereupon the President declared [S 1209](#) passed, title was approved, and the bill ordered transmitted to the House.

Suspension of Rules

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of [S 1210](#) were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency.

[S 1210](#) was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Bilyeu arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Pearce, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 35.

Whereupon the President declared [S 1210](#) passed, title was approved, and the bill ordered transmitted to the House.

Suspension of Rules

On request by Senator Stegner, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of [S 1211](#) were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency.

[S 1211](#) was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Siddoway arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Pearce, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Winder. Total - 32.

NAYS—Bock, Kelly, Werk. Total - 3.

Total - 35.

Whereupon the President declared [S 1211](#) passed, title was approved, and the bill ordered transmitted to the House.

Suspension of Rules

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of [S 1212](#) were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency.

[S 1212](#) was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Pearce, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 35.

Whereupon the President declared [S 1212](#) passed, title was approved, and the bill ordered transmitted to the House.

Suspension of Rules

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of [S 1216](#) were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency.

[S 1216](#) was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Pearce, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 35.

Whereupon the President declared [S 1216](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 298](#), by Appropriations Committee, was read the second time at length and filed for third reading.

[H 275](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 300](#), [H 301](#), and [H 302](#), by Appropriations Committee, were read the second time at length and filed for third reading.

Suspension of Rules

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of [H 231](#) were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency.

[H 231](#) was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Pearce, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 35.

Whereupon the President declared [H 231](#) passed, title was approved, and the bill ordered returned to the House.

Suspension of Rules

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of [H 248](#) were suspended, and the portions of Section 15, Article 3,

of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency.

H 248 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Stegner arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Pearce, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 35.

Whereupon the President declared **H 248** passed, title was approved, and the bill ordered returned to the House.

Suspension of Rules

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **S 1214** were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency.

S 1214 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator LeFavour arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Pearce, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 35.

Whereupon the President declared **S 1214** passed, title was approved, and the bill ordered transmitted to the House.

Suspension of Rules

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **S 1222** were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency.

S 1222 was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Smyser disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson,

Kelly, Keough, LeFavour, Lodge, McGee, McKenzie, Mortimer, Pearce, Sagness (Malepeai), Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 34.

NAYS—McKague. Total - 1.

Total - 35.

Whereupon the President declared **S 1222** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills with **H 262** and **H 275** at the foot of the Calendar.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Kelly, by voice vote, the Senate adjourned at 4:45 p.m. until the hour of 10 a.m., Wednesday, April 15, 2009.

BRAD LITTLE, President

Attest: JEANNINE WOOD, Secretary